

**IDAHO REAL ESTATE COMMISSION
MEETING MINUTES**

March 16, 2006

Pursuant to notice given, the March meeting of the Idaho Real Estate Commission (Commission) was held in the Commission office at 633 N. Fourth Street, Boise, Idaho, on March 16, 2006, at 8:30 a.m.

Members Present:

Ron Clawson, Chair, Idaho Falls
Pam Trees, Vice Chair, Lewiston
Steve Kohntopp, Member, Twin Falls
Andy Enrico, Member, Boise
Comprising a quorum of the Commission.

Staff Present:

Donna M. Jones, Executive Director
Jennifer Bonilla, Admin. Asst.

Staff Present for a portion of the Meeting:

Charlie Hendrix, Fiscal Supervisor
Terry Ruetters, Enforcement Chief
Neal Bernklau, License Supervisor
Karen Seay, Education Director

Licensees Present for CE Credit

Jeffrey Graves, Eagle
Bobbi Sweet, Boise
Janis Ogawa, Boise

Others Present:

Kim Coster, Commission Counsel
Alex LaBeau, IAR® CEO, Boise
Mike Johnston, IAR® 2006 President
Chuck Byers, Pioneer Real Estate School, Boise

Call to Order: The meeting of the Commission was called to order by Chair Clawson at 8:30 a.m., Thursday, March 16, 2006.

Approval of Agenda: A motion was made by Mr. Kohntopp, seconded by Mr. Enrico, to approve the agenda of the March 16, 2006 meeting. Motion carried.

Approval of Meeting Minutes: A motion was made by Mr. Enrico, seconded by Ms. Trees, to approve the February 16, 2006, meeting minutes, as written. Motion carried.

Salesperson and Broker Licenses Issued: Members reviewed the salesperson and broker licenses issued for the month of February 2006; a copy of which has been made part of these minutes. A motion was made by Mr. Kohntopp, and seconded by Mr. Enrico, to ratify the salesperson and broker licenses issued for the month of February 2006. Motion carried.

Financial Reports: Ms. Hendrix joined the meeting and presented the February 2006 Financial Reports to Commission members for their review; copies of which are on file at the Commission office.

After review and discussion, a motion was made by Ms. Trees, and seconded by Mr. Enrico, to approve the February 2006, Financial Reports. Motion carried.

Quarterly District Meetings: Ms. Hendrix presented a brief report comparing a district meeting versus meeting in Boise. Members remain interested and will revisit the issue in the future.

Noting the steady increase in revenues, and the Commission's inability to spend those licensee dol-

lars, Mr. Kohntopp suggested eliminating certain fees paid by licensees. Ms. Hendrix pointed out that some fees are fixed in statute.

A motion was made by Mr. Kohntopp, seconded by Mr. Enrico, to request staff analyze all revenue sources with an eye to reducing or eliminating some of the fees, the fiscal impact of doing so, and the mechanism for making the change (i.e. via motion, rule or statute). Motion carried.

Idaho Association of Realtors® Report: Mr. Alex LaBeau, IAR® CEO, and Mr. Mike Johnston, IAR® 2006 President, were welcomed to the meeting.

- Mr. Johnston announced the annual IAR® Board of Directors meeting will be held April 13, 2006 at the Red Lion Downtowner. He extended an invitation to the Commission to give a Commission report to their members. Chair Clawson expressed interest and his intent to deliver the Commission report to the Directors.
- Future conventions: The subject of dissolving the Idaho/Montana annual convention partnership will be a topic of discussion and action may be taken at this meeting. However, this action does not necessarily mean that all future conventions will be held in Idaho, as there has been discussion of other out of state venues.
- Mr. Johnston informed Members the IAR® would not support increasing pre-license hours.
- Mr. Johnston offered the assistance of the Association to the Commission on any major issues that may come before the Commission members.
- Discussion was held regarding broker responsibilities.

Education and Examination: Ms. Seay was welcomed to the meeting and presented the following reports; copies of which are on file at the Commission office:

- **Education Council:** a motion was made by Mr. Enrico, seconded by Ms. Trees to accept the Education Council's recommendation to add Rockwell's Real Estate Principles to the approved textbook list. Motion carried.
- **New Instructor/Course Evaluation form** was reviewed. Ms. Trees recommended a website for Instructors only, someplace they could review compiled evaluations. A motion was made by Mr. Kohntopp, seconded by Ms. Trees to accept the new instructor/course evaluation form.
- **Changes to Attendance Policy:** Ms. Seay presented changes the Education Council would like to make to the attendance policy. A motion was made by Mr. Kohntopp, seconded by Ms. Trees, to accept the changes to the attendance striking the second paragraph addition. Motion carried
- **Education Fine Monies Application:** a motion was made by Ms. Trees, seconded by Mr. Kohntopp, to accept the application with the addition of one sentence regarding preference given to risk reduction courses made and to e-mail the revised form to the Commissioners. Motion carried.
- **BSU Report:** Ms. Seay presented the results of BSU's Instructional Performance Technology Group's final report on the education survey.
- **IDW:** Ms. Seay handed out Ms. Chorew's presentation for the May 2006 Instructor Development Workshop.
- **License Examination Statistics**

Licensure:

Mr. Bernklau and Ms. deDomingo were welcomed to the meeting.

Licensee Status Reports: Members reviewed the licensee status reports; copies of which are on file at the Commission office:

- FY05-FY06 Analysis of Active & Inactive License Base
- On-Line Renewal Reports:

Executive Session: In accordance with section 67-2345 (1) (d) & (f), Idaho Code, a motion was made by Ms. Trees, seconded by Mr. Enrico, to adjourn to executive session to review special request licensure files. Motion carried.

Regular Session: There being no further purpose for an executive session, a motion was made by Mr. Kohntopp, seconded by Ms. Trees, to adjourn the executive session. Motion carried.

Special Considerations:

Special Consideration #06-010: Request to Waive 54-2012(1) (f), Felony Exemption. Following discussion and review of the documents submitted, a motion was made by Ms. Trees, seconded by Mr. Enrico, to deny the request for felony exemption and the applicant may reapply after successful completion of probation. Motion carried.

Special Consideration #06-011: Request to Waive 54-2012(1) (f), Felony Exemption. Following discussion and review of the documents submitted, a motion was made by Mr. Kohntopp, seconded by Ms. Trees, to grant the request for felony exemption. Motion carried.

Special Consideration #06-012: Request to Waive 54-2012(2) (a), Broker Experience. Following discussion and review of the documents submitted, a motion was made by Ms. Trees, seconded by Mr. Enrico, to deny the request for special consideration. Motion carried.

Special Consideration #06-013: Request to Waive 54-2012(2) (a), Broker Experience. Following discussion and review of the documents submitted, a motion was made by Mr. Enrico, seconded by Ms. Trees, to deny the request for special consideration. Motion carried.

Enforcement: Mr. Ruettgers was welcomed to the meeting.

Case of Staff vs. Leon S. Jenkins (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Kohntopp, seconded by Ms. Trees, to accept without exception, the Stipulation which had been agreed to by Leon S. Jenkins and that the "Final Order" for disciplinary actions against Mr. Jenkins be as follows:

- 1) That Leon S. Jenkins shall be issued a formal reprimand.
- 2) That Leon S. Jenkins pay a civil fine in the amount of Three Thousand Three Hundred Thirty-Seven and 97/100 Dollars (\$3337.97) by April 21, 2006.
- 3) That Leon S. Jenkins successfully complete a live Real Estate Finance Course and Business Conduct and Office Operations Course by September 21, 2006.
- 4) That Leon S. Jenkins pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed Three Hundred Dollars (\$300.00) by April 21, 2006.

5) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes.

Case of Staff vs. Christy K. Kantack (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Christy K. Kantack and that the "Final Order" for disciplinary actions against Ms. Kantack be as follows:

- 1) That Christy K. Kantack shall be issued a formal reprimand.
- 2) That Christy K. Kantack pay a civil fine in the amount of Five Hundred Dollars (\$500.00) by April 21, 2006.
- 3) That Christy K. Kantack pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.
- 4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes.

Case of Staff vs. Nan G. Emerick (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Nan G. Emerick and that the "Final Order" for disciplinary actions against Ms. Emerick be as follows:

- 1) That Nan G. Emerick shall be issued a formal reprimand.
- 2) That Nan G. Emerick pay a civil fine in the amount Seven Hundred Fifty Dollars (\$750.00) by April 21, 2006.
- 3) That Nan G. Emerick pay the costs and attorney's fees, incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.
- 4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes.

Case of Staff vs. Alan C. Anderson (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Alan C. Anderson and that the "Final Order" for disciplinary actions against Mr. Anderson be as follows:

- 1) That Alan C. Anderson shall be issued a formal reprimand.
- 2) That Alan C. Anderson pay a civil fine in the amount of Five Hundred Dollars (\$500.00) by April 21, 2006.
- 3) That Alan C. Anderson pay the costs and attorney's fees, incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.
- 4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes

Case of Staff vs. Kristen L. Beckstead (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Kristen L. Beckstead and that the "Final Order" for disciplinary actions against Ms. Beckstead be as follows:

- 1) That Kristen L. Beckstead shall be issued a formal reprimand.
- 2) That Kristen L. Beckstead pay a civil fine in the amount of Seven Hundred Fifty Dollars (\$750.00) by April 21, 2006.
- 3) That Kristen L. Beckstead pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.
- 4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes.

Case of Staff vs. Colette M. Bolt (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipu-

lation which had been agreed to by Colette M. Bolt and that the "Final Order" for disciplinary actions against Ms. Bolt be as follows:

- 1) That Colette M. Bolt shall be issued a formal reprimand.
- 2) That Colette M. Bolt pay a civil fine in the amount of Five Hundred Dollars (\$500.00) by April 21, 2006.
- 3) That Colette M. Bolt pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.
- 4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes.

Case of Staff vs. Felesha D. Burkard (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Felesha D. Burkard and that the "Final Order" for disciplinary actions against Ms. Burkard be as follows:

- 1) That Felesha D. Burkard shall be issued a formal reprimand.
- 2) That Felesha D. Burkard pay a civil fine in the amount of Seven Hundred Fifty Dollars (\$750.00) by April 21, 2006.
- 3) That Felesha D. Burkard pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.
- 4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes.

Case of Staff vs. Sheri L. Davies (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Sheri L. Davies and that the "Final Order" for disciplinary actions against Ms. Davies be as follows:

- 1) That Sheri L. Davies shall be issued a formal reprimand.

2) That Sheri L. Davies pay a civil fine in the amount of Five Hundred Dollars (\$500.00) by April 21, 2006.

3) That Sheri L. Davies pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.

4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes.

Case of Staff vs. Steven S. McLaughlin (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Steven S. McLaughlin and that the "Final Order" for disciplinary actions against Mr. McLaughlin be as follows:

1) That Steven S. McLaughlin shall be issued a formal reprimand.

2) That Steven S. McLaughlin pay a civil fine in the amount of Five Hundred Dollars (\$500.00) by April 21, 2006.

3) That Steven S. McLaughlin pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.

4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes.

Case of Staff vs. Vanessa R. Richardson (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Vanessa R. Richardson and that the "Final Order" for disciplinary actions against Ms. Richardson be as follows:

1) That Vanessa R. Richardson shall be issued a formal reprimand.

2) That Vanessa R. Richardson pay a civil fine in the amount of Five Hundred Dollars (\$500.00) by April 21, 2006.

3) That Vanessa R. Richardson pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.

4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes

Case of Staff vs. Jay C. Wardle (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Jay C. Wardle and that the "Final Order" for disciplinary actions against Mr. Wardle be as follows:

1) That Jay C. Wardle shall be issued a formal reprimand.

2) That Jay C. Wardle pay a civil fine in the amount of Five Hundred Dollars (\$500.00) by April 21, 2006.

3) That Jay C. Wardle pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.

4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes

Case of Staff vs. Marie Robbins (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Marie Robbins and that the "Final Order" for disciplinary actions against Ms. Robbins be as follows:

1) That Marie Robbins shall be issued a formal reprimand.

2) That Marie Robbins pay a civil fine in the amount of Five Hundred Dollars (\$500.00) by April 21, 2006.

3) That Marie Robbins pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.

4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes

Case of Staff vs. Donald P. Strandemo (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Donald P. Strandemo and that the "Final Order" for disciplinary actions against Mr. Strandemo be as follows:

- 1) That Donald P. Strandemo shall be issued a formal reprimand.
- 2) That Donald P. Strandemo pay a civil fine in the amount of Five Hundred Dollars (\$500.00) by April 21, 2006.
- 3) That Donald P. Strandemo pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.
- 4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes

Case of Staff vs. Tasha Carson (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Tasha Carson and that the "Final Order" for disciplinary actions against Ms. Carson be as follows:

- 1) That Tasha Carson shall be issued a formal reprimand.
- 2) That Tasha Carson pay a civil fine in the amount of Five Hundred Dollars (\$500.00) by April 21, 2006.
- 3) That Tasha Carson pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.
- 4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes

Case of Staff vs. D. Duane Anderson (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by D. Duane Anderson and that the "Final Order" for disciplinary actions against Mr. Anderson be as follows:

- 1) That D. Duane Anderson shall be issued a formal reprimand.
- 2) That D. Duane Anderson pay a civil fine in the amount of Five Hundred Dollars (\$500.00) by April 21, 2006.
- 3) That D. Duane Anderson pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.
- 4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes

Case of Staff vs. Chauncey D. Hood (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Chauncey D. Hood and that the "Final Order" for disciplinary actions against Mr. Hood be as follows:

- 1) That Chauncey D. Hood shall be issued a formal reprimand.
- 2) That Chauncey D. Hood pay a civil fine in the amount of Seven Hundred Fifty Dollars (\$750.00) by April 21, 2006.
- 3) That Chauncey D. Hood pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.
- 4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes

Case of Staff vs. Lisa A. Larsen (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipu-

lation which had been agreed to by Lisa A. Larsen and that the "Final Order" for disciplinary actions against Ms. Larsen be as follows:

- 1) That Lisa A. Larsen shall be issued a formal reprimand.
- 2) That Lisa A. Larsen pay a civil fine in the amount of Seven Hundred Fifty Dollars (\$750.00) by April 21, 2006.
- 3) That Lisa A. Larsen pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.
- 4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes

Case of Staff vs. Brad T. Richmond (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Brad T. Richmond and that the "Final Order" for disciplinary actions against Mr. Richmond be as follows:

- 1) That Brad T. Richmond shall be issued a formal reprimand.
- 2) That Brad T. Richmond pay a civil fine in the amount of Seven Hundred Fifty Dollars (\$750.00) by April 21, 2006.
- 3) That Brad T. Richmond pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.
- 4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes

Case of Staff vs. Bellva L. Smith (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Bellva L. Smith and that the "Final Order" for disciplinary actions against Ms. Smith be as follows:

- 1) That Bellva L. Smith shall be issued a formal reprimand.

2) That Bellva L. Smith pay a civil fine in the amount of Five Hundred Dollars (\$500.00) in monthly payments of not less then One Hundred Dollars (\$100.00) beginning on April 15, 2006 and continuing each month until paid in full.

3) That Bellva L. Smith pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.

4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes.

Case of Staff vs. Terrence C. Herbold (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Terrence C. Herbold and that the "Final Order" for disciplinary actions against Mr. Herbold be as follows:

1) That Terrence C. Herbold shall be issued a formal reprimand.

2) That Terrence C. Herbold pay a civil fine in the amount of Five Hundred Dollars (\$500.00) by April 21, 2006.

3) That Terrence C. Herbold pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.

4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes.

Case of Staff vs. Cathy Austine Schwindt (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Cathy Austine Schwindt and that the "Final Order" for disciplinary actions against Ms. Schwindt be as follows:

1) That Cathy Austine Schwindt shall be issued a formal reprimand.

2) That Cathy Austine Schwindt pay a civil fine in the amount of Seven Hundred Fifty Dollars (\$750.00) by April 21, 2006.

3) That Cathy Austine Schwindt pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.

4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes.

Case of Staff vs. John J. Transtrum (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by John J. Transtrum and that the "Final Order" for disciplinary actions against Mr. Transtrum be as follows:

1) That John J. Transtrum shall be issued a formal reprimand.

2) That John J. Transtrum pay a civil fine in the amount of Five Hundred Dollars (\$500.00) by April 21, 2006.

3) That John J. Transtrum pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.

4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes.

Case of Staff vs. Jessica D. Hudson (Ex-Parte) In consideration of the facts and evidence presented, a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to accept without exception, the Stipulation which had been agreed to by Jessica D. Hudson and that the "Final Order" for disciplinary actions against Ms. Hudson be as follows:

1) That Jessica D. Hudson shall be issued a formal reprimand.

2) That Jessica D. Hudson pay a civil fine in the amount of One Thousand Dollars (\$1,000.00) by September 21, 2006.

3) That Jessica D. Hudson pay the cost and attorney's fees incurred in the investigation/prosecution of this matter not to exceed One Hundred Twenty-Five Dollars (\$125.00) by April 21, 2006.

4) That the Commission shall be entitled, without further action otherwise required by Idaho Code Section 54-2058, to impose additional discipline to suspend Respondent's license and/or impose additional fines, costs or attorneys fees in the event the Commission determines, following notice and hearing before the Commission, that Respondent has failed to timely comply with the Commission's Order entered pursuant to this Stipulation.

Motion carried. A copy of the "Final Order" is attached hereto and made a part of these minutes

Mr. Ruettgers provided the following reports for members' review; copies of which are on file at the Commission office.

- **Complaint Summary Report:**
- **Fines for CE:** a motion was made by Mr. Enrico, seconded by Mr. Kohntopp, to allow staff leeway and to change the lowest amount of CE fines to \$250. Motion carried.
- **Letter from Steve Herrick:** Mr. Ruettgers reported some background of Mr. Herrick.

Executive Director's Report:

Office Operations Report: Members reviewed Ms. Jones' report; copies of which are on file at the Commission office.

Commission's Counsel Report: Ms. Coster informed members concerning New Mexico's recent adoption of law changes to require certain minimum brokerage services, similar to Commission's earlier legislative proposal. Ms. Coster noted that the New Mexico law change did not occur in statute, but was adopted by the Commission as Administrative Rule, which may be vulnerable to challenge under federal anti-trust laws (such as in Texas and Kentucky). It will be interesting to see whether the Department of Justice pursues a legal challenge.

Online License Renewal Lottery Drawing: February winner: Linda Marie Hallquist, SP27063, of Homeland Realty, Boise Idaho.

Executive Session: In accordance with section 67-2345(1) (d) and (f), Idaho Code, a motion was made by Ms. Trees, seconded by Mr. Enrico, to adjourn to executive session to review investigative files. Motion carried.

Regular Session: There being no further purpose for an executive session, a motion was made by Mr. Enrico, seconded by Ms. Trees, to adjourn the executive session. Motion carried.

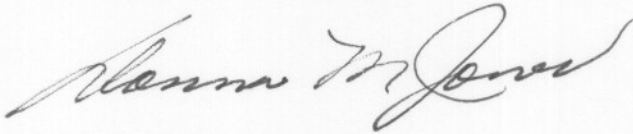
Probable Cause Memo #05-15900, 05-15901, 05-15902, 05-15903: A motion was made by Mr. Kohntopp, seconded by Ms. Trees, that the memorandum of probable cause provided to them by the Executive Director, pursuant to Section 54-2058 (1), was reviewed and the facts are sufficient to proceed with formal action on the violations presented. Commission staff is authorized to file an administrative complaint. Motion carried.

Probable Cause Memo #06-2400: A motion was made by Ms. Trees, seconded by Mr. Kohntopp, that the memorandum of probable cause provided to them by the Executive Director, pursuant to Section 54-2058 (1), was reviewed and the facts are sufficient to proceed with formal action on the violations presented. Commission staff is authorized to file an administrative complaint. Motion carried.

Probable Cause Memo #05-32600, 05-32601: A motion was made by Ms. Trees, seconded by Mr. Enrico, that the memorandum of probable cause provided to them by the Executive Director, pursuant to Section 54-2058 (1), was reviewed and the facts are sufficient to proceed with formal action on the violations presented. Commission staff is authorized to file an administrative complaint. Motion carried.

There being no further business, Chair Clawson adjourned the meeting at 1:30 p.m.

Respectfully Submitted,



Donna M. Jones
Executive Director

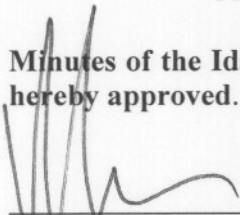
Dmj: jdb

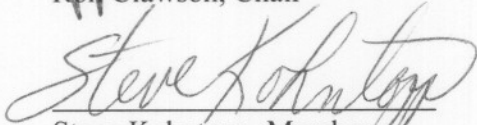
Attachments: Licenses Issued February 2006
Financial Reports
FY05-FY06 License Base Analysis
Online License Renewal Reports
Complaint Summary Report

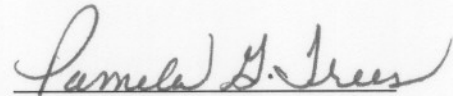
"Final Order" – Leon S. Jenkins
"Final Order" – Christy K. Kantack
"Final Order" – Nan G. Emerick
"Final Order" – Alan C. Anderson
"Final Order" – Kristen L. Beckstead
"Final Order" – Colette M. Bolt
"Final Order" – Felesha D. Burkard
"Final Order" – Sheri L. Davies
"Final Order" – Steven S. McLaughlin
"Final Order" – Vanessa R. Richardson
"Final Order" – Jay C. Wardle
"Final Order" – Marie Robbins
"Final Order" – Donald P. Strandemo
"Final Order" – Tasha Carson
"Final Order" – D. Duane Anderson
"Final Order" – Chauncey D. Hood
"Final Order" – Lisa A. Larsen
"Final Order" – Brad T. Richmond
"Final Order" – Bellva T. Smith
"Final Order" – Terrence C. Herbold

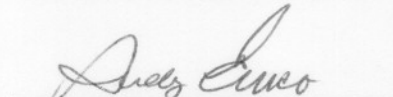
"Final Order" – Cathy Austine Schwindt
"Final Order" – John J. Transtrum
"Final Order" – Jessica D. Hudson

Minutes of the Idaho Real Estate Commission meeting in Boise, Idaho on March 16, 2006, are hereby approved.



Ron Clawson, Chair

Steve Kohntopp, Member

Pamela G. Trees, Vice Chair

Andy Enrico, Member